(443/07)
Filed on 19/1/07
by Shri Vyas
R. to D.R. (J) 19/1/07

(3)

Division Bench

Division Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR
CHHATTISGARH

Cr. M.P. No. 55 / 2007

Applicant/Revisioner : Ku. Sunita Portey, D/o. Shri Chhatar Singh, aged about 14 years, through guardian of minor Shri Chhatar Singh R/o. Saila Nawapara, P/s. Pali, Distt. – Korba (C.G.)

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VERSUS

Non-Applicants
Respondents :
1. State of Chhattisgarh Through P/S. Pali, Distt. Korba (C.G.)
2. Shiv Shankar @ Chhota S/o. Prem Singh Salam, aged about 25 years, R/o. Vill. Saila, Nawapara, P/s. Pali, Distt. Koraba (C.G.)

APPLICATION UNDER SECTION 482 OF CRIMINAL PROCEDURE CODE FOR RESTORATION OF Cr.R. NO. 646 / 04 And (I.A. No. 3105 of 2006 And [(Cri.) P. No. 3583 of 2004]

XI-HC-22

Cr.M.P. 55/07

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(13)

आदेश पत्रक

मामला क्रमांक Cr.M.P. (PR) No. 443/2007 **सन् 200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Division Bench :

Hon. Mr. V.K. Shrivastava &
Hon. Mr.Dhirendra Mishra, JJ

8-2-2007

Shri Vipin Tiwari, counsel for the petitioner.

Shri Vinay Harit, Dy. Advocate General/Addl. Public Prosecutor for the State/respondent No.1.

None for respondent No.2.

The case is listed for orders on default as pointed out by the office vide note dated 31-1-2007.

The instant petition has been filed under Section 482 of the Cr.P.C. for restoration of criminal revision No.646 of 2004 (**Ku. Sunita Portey vs. State of Chhattisgarh & Another**), which was dismissed by this Court on 8-12-2006 with an observation that the matter was listed then for hearing on application for condonation of delay and since none appeared the application for condonation of delay was dismissed for want of prosecution and consequently the criminal revision No.646 of 2004 was also dismissed.

We have heard learned counsel for the parties and perused the order dated 8-12-2006 whereby the application of the petitioner for condonation of delay in filing the criminal revision has been dismissed for non-prosecution. Even if it is held that this petition for restoration of the criminal revision is maintainable, we are of the considered opinion that the reason assigned for non-appearance on 8-12-2006 is not sufficient. Consequentiy, the instant petition (Cr.M.P. (PR) No.443 of 2007) is liable for rejection and the same is accordingly rejected.

Sd/-
DHIRENDRA MISHRA
Judge

Gowri

Sd/-
V.K. Shrivatava
Judge

(पीछे देखिये)